



AG/2644/61

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In Re the Application of:

MILLER ET AL.

Serial No.: 10/083,024

Filed: February 26, 2002

Confirmation No.: 4446

Atty. File No.: 45568-00040

For: "METHOD AND SYSTEM FOR
EXTERNAL ASSESSMENT OF HEARING
AIDS THAT INCLUDE IMPLANTED
ACTUATORS"

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant submits this Response to address the Office Action having a mailing date of March 10, 2004. (Paper No. 6).

Applicants hereby request a three-month extension of time under 37 CFR §1.136, extending the time period for response to September 10, 2004, and enclose a check for the extension fee. Please credit any overpayment or charge any underpayment to Deposit Account No. 50-1419.

Also enclosed is a Terminal Disclaimer To Obviate a Double Patenting Rejection Over a Prior Patent, along with a check in the amount of \$110.00 for payment of the required fee. Please credit any overpayment or charge any underpayment to Deposit Account No. 50-1419.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 3 of this paper.

) Group Art Unit: 2644

SEP 20 2004

) Examiner: Tony M. Jacobson

Technology Center 2600

) RESPONSE TO OFFICE ACTION

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST
CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR
PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 ON

September 10, 2004

MARSH FISCHMANN & BREYFOGLE LLP

BY:

Lynn Pennywell